

DT03 Rec'd PCT/PTO 20 OCT 2004 **Mail Stop PCT**

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| FORM PTO-1390 MODIFIED | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY DOCKET NUMBER 608-439 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/509,831 |
| INTERNATIONAL APPLICATION NO. PCT/GB03/01592 | INTERNATIONAL FILING DATE 9 April 2003 | PRIORITY DATE CLAIMED 20 May 2002 |

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| TITLE OF INVENTION |
| PROCESS FOR THE PRODUCTION OF ACETIC ACID |

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|---------------------------|
| APPLICANT(S) FOR DO/EO/US |
| MUSKETT |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation
 - a. ☐ of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
 - b. ☐ of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.
 - a. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. See item 6.b. above.
Items 11 To 20 below concern document(s) or information included:
 11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR-1.821-1.825.
 18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☒ Other items or information. Exclusive Substitute Power of Attorney; Identification of Practitioners to be Recognized

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|---|--|--|--|--|--|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/509,831 | | INTERNATIONAL APPLICATION NO. PCT/GB03/01592 | | ATTORNEY'S DOCKET NUMBER 608-439 | |
|---|--|--|--|--|--|

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|---|--------------|--------------|------|--------------|--|--|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1110.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$950.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO.....\$790.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$750.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | | | | | <div style="text-align: right;">\$ 0.00</div> | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)). <div style="text-align: right;">\$ 0.00</div> | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | |
| Total Claims | 0 | minus 20 = | 0 | X \$18.00 | \$ 0.00 | |
| Independent Claims | 0 | minus 3 = | 0 | X \$88.00 | \$ 0.00 | |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | | \$300.00 | \$ 0.00 | |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months) | | | | | \$ 0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | \$ 0.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | \$ 0.00 | |
| SUBTOTAL = | | | | | \$ 0.00 | |
| Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). | | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | | \$ 0.00 | |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | | \$ 0.00 | |
| Fee for Petition to Revive Unintentionally Abandoned Application (\$1370.00 - Small Entity = \$685.00) | | | | | \$ 0.00 | |
| TOTAL FEES ENCLOSED = | | | | | \$ 0.00 | |
| | | | | | Amount to be: refunded \$ | |
| | | | | | Charged \$ | |

a. ☒ A check in the amount of \$0.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☒ The entire content of International Application No. **PCT/GB03/01592** and any U.S. and foreign application(s) corresponding thereto, and 0211560.8, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS
Direct all correspondence to:

☒ **Customer Number:**

23117

Place Customer Number Bar Label Here →

Type Customer Number here

Telephone: (703) 816-4000
 LCM:lfm

NAME
29,009
 REGISTRATION NUMBER

October 20, 2004
 Date

Rec'd PST/PTO 20 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MUSKETT

Atty. Ref.: 608-439

Serial No. Unassigned

Group: Unassigned

Filed: September 30, 2004

Examiner: Unassigned

For: PROCESS FOR THE PRODUCTION OF ACETIC ACID

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

BP Chemicals Limited, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the attorneys of **Customer Number 23117** individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

BP Chemicals Limited also authorizes Nixon & Vanderhye to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

BP Chemicals Limited, a corporation having a place of business at Chertsey Road, Sunbury on Thames, Middlesex, United Kingdom TW16 7BP states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment is attached.

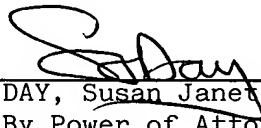
The undersigned (whose title is typed below) is empowered to sign this statement on behalf of BP Chemicals Limited.

BP Chemicals Limited

5th October 2004

Date

By:


Name: DAY, Susan Janet
Title: By Power of Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MUSKETT

Atty. Ref.: 608-439; Confirmation No.

Appl. No. Unassigned

TC/A.U. Unassigned

Filed: September 30, 2004

Examiner: Unassigned

For: PROCESS FOR THE PRODUCTION OF ACETIC ACID

* * * * *

October 20, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

IDENTIFICATION OF PRACTITIONERS TO BE RECOGNIZED

Of the Patent Practitioners identified in the concurrently filed Power of Attorney,
please recognize the following listed Patent Practitioners as being of record in the
above-identified application/patent.

Listing of Practitioners of Record (No more than 10)

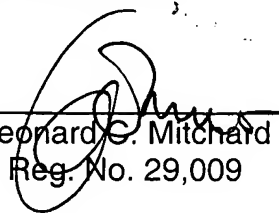
| | |
|-----------------------|------------------|
| Larry S. Nixon | Reg. No. 25,640 |
| Arthur R. Crawford | Reg. No. 25,327 |
| Robert W. Faris | Reg. No. 31,352 |
| Mark E. Nusbaum | Reg. No. 32,348 |
| Michael J. Keenan | Reg. No. 32, 106 |
| Jeffry H. Nelson | Reg. No. 30,481 |
| John R. Lastova | Reg. No. 33,149 |
| H. Warren Burnam, Jr. | Reg. No. 29,366 |
| Michael J. Shea | Reg. No. 34,725 |
| Leonard C. Mitchard | Reg. No. 29,009 |

MUSKETT
Appl. No. Unassigned
October 20, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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